IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION

WRIT PETITION NO.400 OF 2006

Rajkumar Patil .. Petitioner.
V/s.
V. K. Gupta & 3 others. .. Respondents.

Mr.V.J. Pandit with Mr.P.P. Prabhu for the petitioner.
Mr.A.S. Rao for the respondents.

CORAM : F.I. REBELLO &
J.P. DEVADHAR, JJ.

DATED : 9TH JULY, 2007.

P.C. :

1. This Petition is directed against the order dated 7th October, 1996 whereby the Appeal preferred by the Petitioner is dismissed on the ground that the Appeal is barred by limitation.

2. We have perused the records. We find that the liquidator was appointed on 20th June, 1992. Cause has been shown as to why the Appeal could not be preferred within time. In our opinion, said cause would amount to sufficient cause and consequently the impugned order dated 7th October, 1996 is set aside. The matter is remanded back to the CIT (Appeals) for disposal of the Appeal on merits according to law.

3. Rule is made absolute accordingly with no order as to costs.

(J.P. DEVADHAR, J.) (F.I. REBELLO, J.)